

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SUPPRESSED FILED

SEP 19 2019

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

KURT WALLACE (Def. 3))

and)

JAMES FLANNEL)

Defendants.)

Case No. S2-4:17 CR 526 RLW (DDN)

Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14

Counts 13, 14

THIS IS A DEATH ELIGIBLE CASE

SECOND SUPERSEDING INDICTMENT

COUNT 1

(Felon in Possession of Firearm(s))

[S-1 C11]

The Grand Jury charges that:

Beginning on or about August 1, 2016, and continuing up to and including
November 17, 2017, in the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, knowingly possessed one or more firearms, knowing that he had
previously been convicted of a crime punishable by a term of imprisonment exceeding
one year, and the firearm previously traveled in interstate or foreign commerce during or
prior to being in the defendant's possession.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT 2
(Carjacking)
[S-1 C3]

The Grand Jury further charges that:

On or about September 9, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, with intent to cause death and serious bodily harm, took from the person and presence of another, by force, violence, and intimidation, a motor vehicle, that is, a 2016 Kia Optima, vehicle identification number ("VIN") 5XXGT4L14GG074970, that had been transported in interstate commerce.

In violation of Title 18, United States Code, Sections 2119 and 2, and punishable under Title 18, United States Code, Sections 2 and 2119(1).

COUNT 3
(Brandishing a Firearm in Furtherance of Carjacking)
[S-1 C4]

The Grand Jury further charges that:

On or about September 9, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, knowingly possessed and brandished a firearm in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, that is, armed carjacking, in violation of Title 18, United States Code, Section 2119, as set forth in Count 2.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2, and punishable under Title 18, United States Code, Section 924(c)(1)(A).

COUNT 4
(Carjacking)
[S-1 C5]

The Grand Jury further charges that:

On or about September 16, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, with intent to cause death and serious bodily harm, took from the person and presence of another, by force, violence, and intimidation, a motor vehicle, that is, a 2005 Chevrolet Monte Carlo, vehicle identification number ("VIN") 2G1WW12EX59116805, that had been transported in interstate commerce.

In violation of Title 18, United States Code, Sections 2119 and 2, and punishable under Title 18, United States Code, Sections 2 and 2119(1).

COUNT 5
(Discharge of a Firearm in Furtherance of Carjacking)
[S-1 C6]

The Grand Jury further charges that:

On or about September 16, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, knowingly possessed, brandished and discharged a firearm in furtherance of a crime of violence for which he may be prosecuted in a court of the United

States, that is, armed carjacking, in violation of Title 18, United States Code, Section 2119, as set forth in Count 4.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2, and punishable under Title 18, United States Code, Section 924(c)(1)(A).

COUNT 6
(Drug Conspiracy)

The Grand Jury further charges that:

On or about October 3, 2017, in the City of Saint Louis, within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, did knowingly and intentionally conspire, combine, confederate and agree, with other persons both known and unknown to the federal grand jury to commit offenses against the United States, to wit: to knowingly and intentionally possess with the intent to distribute a controlled substance.

In violation of Title 21, United States Code, Section 846; and punishable under Title 21, United States Code, Section 841(b)(1)(C).

COUNT 7
(Murder of Ladareace Pool)

The Grand Jury further charges that:

On or about October 3, 2017, in the City of Saint Louis, within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, with other persons both known and unknown to the federal grand jury, did knowingly possess, brandish and discharge a firearm in furtherance of a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, conspiracy to possess with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 846, as set forth in Count 6.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2, and punishable under Title 18, United States Code, Section 924(c)(1)(A).

And in the course of this violation caused the death of LADAREACE POOL through the use of the firearm, which killing is murder as defined in Title 18, United States Code, Section 1111, in that the defendants, with malice aforethought, unlawfully killed LADAREACE POOL by shooting him with the firearm willfully, deliberately, maliciously, and with premeditation, thereby making this offense punishable under Title 18, United States Code, Section 924(j)(1).

COUNT 8
(Carjacking)
[S-1 C7]

The Grand Jury further charges that:

On or about October 15, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, with intent to cause death and serious bodily harm, took from the person and presence of another, by force, violence, and intimidation, a motor vehicle, that is, a 2008 Cadillac CTS, vehicle identification number ("VIN") 1G6DS57V880136014, that had been transported in interstate commerce.

In violation of Title 18, United States Code, Sections 2119 and 2, and punishable under Title 18, United States Code, Sections 2 and 2119(1).

COUNT 9
(Discharge of a Firearm in Furtherance of Carjacking)
[S-1 C8]

The Grand Jury further charges that:

On or about October 15, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, knowingly possessed, brandished and discharged a firearm in furtherance of a crime of violence for which they may be prosecuted in a court of the United States, that is, armed carjacking, in violation of Title 18, United States Code, Section 2119, as set forth in Count 8.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2, and punishable under Title 18, United States Code, Section 924(c)(1)(A).

COUNT 10
(Carjacking)
[S-1 C9]

The Grand Jury further charges that:

On or about October 16, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, with intent to cause death and serious bodily harm, took from the person and presence of another, by force, violence, and intimidation, a motor vehicle, that

is, a 2017 Jeep Grand Cherokee, vehicle identification number ("VIN") 1C4RJFBG3HC891753, that had been transported in interstate commerce.

In violation of Title 18, United States Code, Sections 2119 and 2, and punishable under Title 18, United States Code, Sections 2 and 2119(1).

COUNT 11
(Murder of Jaz Granderson)
[S-1 C10]

The Grand Jury further charges that:

On or about October 16, 2017, in the City of St. Louis within the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, knowingly possessed, brandished and discharged a firearm in furtherance of a crime of violence for which they may be prosecuted in a court of the United States, that is, armed carjacking, in violation of Title 18, United States Code, Section 2119, as set forth in Count 10.

In violation of Title 18, United States Code, Sections 924(c)(1) and 2, and punishable under Title 18, United States Code, Section 924(c)(1)(A).

And in the course of this violation caused the death of JAZ GRANDERSON through the use of the firearm, which killing is murder as defined in Title 18, United States Code, Section 1111, in that the defendants, with malice aforethought, unlawfully killed JAZ GRANDERSON by shooting him with the firearm willfully, deliberately, maliciously, and with premeditation, thereby making this offense punishable under Title 18, United States Code, Section 924(j)(1).

COUNT 12
(Attempted Escape From Custody)

The Grand Jury further charges that:

On or about April 14, 2018, in the County of Saint Charles, in the Eastern District of Missouri,

KURT WALLACE,

the Defendant herein, did knowingly attempt to escape from custody in the Saint Charles County Department of Corrections, an institutional facility in which he was lawfully confined at the direction of the Attorney General by virtue of an order of detention by a Magistrate Judge in the United States District Court for the Eastern District of Missouri, in violation of Title 18, United States Code, Section 751(a).

COUNT 13
(Escape From Custody)

The Grand Jury further charges that:

On or about July 15, 2019, in the County of Lincoln, in the Eastern District of Missouri,

KURT WALLACE and
JAMES FLANNEL,

the Defendants herein, did knowingly escape from custody in the Lincoln County Jail, an institutional facility in which each was lawfully confined at the direction of the Attorney General by virtue of an order of detention by a Magistrate Judge in the United States District Court for the Eastern District of Missouri, in violation of Title 18, United States Code, Section 751(a).

COUNT 14
(Carjacking)

The Grand Jury further charges that:

On or about July 15, 2019, in the County of Lincoln, in the Eastern District of Missouri,

**KURT WALLACE and
JAMES FLANNEL,**

the Defendants herein, with intent to cause death and serious bodily harm, took from the person and presence of another, by force, violence, and intimidation, a motor vehicle, that is, a 2011 GMC Acadia, vehicle identification number ("VIN") 1GKKRTEDXBJ241254, that had been transported in interstate commerce.

In violation of Title 18, United States Code, Sections 2119 and 2, and punishable under Title 18, United States Code, Sections 2 and 2119(1).

A TRUE BILL.

FOREPERSON

JEFFREY B. JENSEN
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THOMAS REA, #53245MO
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